

**RECEIVED**  
**CENTRAL FAX CENTER****OCT 27 2004**

**Mony R. Ghose**  
Senior Intellectual Property Counsel  
One Becton Drive, MC 089  
Franklin Lakes, New Jersey 07417-1880  
tel: 201.847.6802  
fax: 201.847.5377  
www.bd.com

**BD**

Helping all people  
live healthy lives

# Fax

**Attention:** Examiner Michael H. Thaler

**Company:** United States Patent and Trademark Office

**Fax number:** (703) 872-9306

**From:** Mony R. Ghose

**Date:** October 27, 2004

**Number of Pages (including this cover):** 49

If you do not receive all of the pages, please call: Lorraine Kowalchuk 201- 847-6455

<b>Applicant(s):</b>	Wilkinson, et al.	<b>Atty. Docket No.:</b>	P-3914F1P1P2P1R1
<b>Serial No.:</b>	09/771,394	<b>Group Art Unit:</b>	3731
<b>Filed:</b>	January 26, 2001	<b>Examiner:</b>	Michael H. Thaler
<b>For:</b>	Surgical Scalper		

The following document is attached to this facsimile:

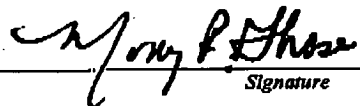
1. Amendment Transmittal Letter;
2. Response to September 28, 2004 Office Action; and
3. Certificate of Transmission by Facsimile.

**Confidential**

The pages accompanying this transmission contain or may contain information from BD (Becton, Dickinson and Company) which is confidential, proprietary and/or legally privileged. The information is intended only for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying distribution or taking of any action in reliance on the contents of this transmission is strictly prohibited, and the pages received by you are to be destroyed immediately. In this regard, please notify the sender of this transmission that you have received the transmission in error and have destroyed the pages sent.

If you do not receive all of the pages, please call as soon as possible, via direct fax line indicated above or by telephone to the sender indicated above.

Becton, Dickinson and Company

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. <b>P-3914F1P1P2P1R1</b>	
Applicant(s): <b>Wilkinson et al.</b>					
Application No. <b>09/771,394</b>	Filing Date <b>January 26, 2001</b>	Examiner <b>Michael H. Thaler</b>	Customer No. <b>26253</b>	Group Art Unit <b>3731</b>	Confirmation No. <b>6920</b>
Invention: <b>Surgical Scalpel</b>					
<b>COMMISSIONER FOR PATENTS:</b>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	86 -	86 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	12 -	12 =	0 x	\$88.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<div style="padding: 5px;"><input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 02-1666.     <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.     <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></div>					
<div style="text-align: center;"> _____ Signature</div> <div style="margin-top: 10px;">Mony R. Ghose, Reg. No. 38,159 Becton, Dickinson and Company 1 Becton Drive Franklin Lakes, NJ 07417-1880 201-847-6802</div>			Dated: October 27, 2004		
cc:					

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			Docket No.
Applicant(s): <u>Wilkinson et al.</u>			P-3914F1P1P2P1R1
Application No. 09/771,394	Filing Date January 26, 2001	Examiner Michael H. Thaler	Group Art Unit 3731
Invention: <u>Surgical Scalpel</u>			
<p>I hereby certify that this <u>Amendment Transmittal Letter and Response to Office Action of 9/28/2004</u> (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u>)</p> <p>on <u>October 27, 2004</u> (Date)</p> <p style="text-align: right;"><u>Lorraine T. Kowalchuk</u> (Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: right;"><u>Lorraine T. Kowalchuk</u> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

P18/REV02

RECEIVED  
CENTRAL FAX CENTER  
OCT 27 2004

P-3914F1P1P2P1R1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **WILKINSON ET AL.**

Serial No. :           **09/771,394**           Art Unit:       **3731**  
Filed:               **1/26/01**           Examiner:     **M. H. Thaler**  
For:                 **SURGICAL SCALPEL**

**SUPPLEMENTAL RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed September 28, 2004, please amend the above-identified application as follows:

Amendments to the Specification begin on Page 2 of this paper.

Amendments to the Claims begin on Page 10 of this paper.

Amendments to the Drawings begin on Page 27 of this paper and include both an attached replacement sheet and an annotated sheet showing changes.

Remarks begin on Page 29 of this paper.